

PLANNING COMMISSION MINUTES OF JULY 24, 2006

2006-0589 - Application for a Design Review on a new 2-story home on a vacant lot with a gross floor area of 3,353 at 48.6% Floor Area Ratio where 45% may be allowed without Planning Commission review. The property is located at **1301 Pauline Drive** (near Fremont Avenue) in an R-0 (Low Density Residential) Zoning District. (APN:309-07-042) GC

Ryan Kuchenig, Associate Planner, presented the staff report. He said staff recommends approval of the project subject to the proposed Conditions of Approval (COAs). He said subsequent to preparing the staff report that the applicant submitted revised plans requesting that two small balconies be added to the front-center and north-rear of the side of the house. He said the balconies are architecturally compatible and should not affect privacy. He said reduced copies of the revised plans have been provided on the dais. Mr. Kuchenig also provided on the dais a copy of an e-mail received from a neighbor following the completion of the report that indicates concerns with the proposed project. He said that staff received a phone call today from a neighbor on Ashbourne Drive expressing opposition to the project because it would affect the privacy of their rear yard and block their view of the hills. The caller said they feel a one-story home would be more appropriate. The caller was unable to put these comments in writing in time for the public hearing and could not attend this public hearing.

Comm. Hungerford referred to Attachment C, page 3 and asked which of the diagrams refers to the side of the house that faces the adjoining house on Pauline Drive. Mr. Kuchenig said the south elevation is the appropriate diagram.

Chair Klein asked staff whether there are any privacy concerns regarding the new balconies. Staff said the setbacks for the balconies are significant, about 54 feet, and there should be no privacy concerns.

Comm. Rowe asked if staff knew the setback of the single-story house to the left of the property as your facing the proposed house. **Trudi Ryan**, Planning Officer said she thinks the house to the south has the minimum setback of four feet. Ms. Ryan said when this site was subdivided there was a variance given for lot width. Comm. Rowe clarified that the front yard setback she referred to is for the property to the south. Ms. Ryan did not know the setback, but said the majority of the properties on the street have a similar setback that is probably close to 20 feet.

Vice Chair Sulser referred to page 5 of the report and discussed with staff the subdivisions that have gone on in the neighborhood as the report indicates that the nearby lots range from 9,195 square feet to 11,456 square feet. Ms. Ryan said the minimum lot size to subdivide is 12,000 square feet and that the

proposed lot that was split in 2004 and was the only lot in the neighborhood that was greater than 12,000 square feet.

Chair Klein opened the public hearing.

Aroz Ali, representing the applicant, said she worked closely with staff to make sure the project met the City guidelines. She said one of the main concerns was to maintain the privacy of the neighbor to the south, resulting in avoiding placing any windows on the south side except for one small upstairs bathroom window. She said the applicant will comply with the COAs and will make any changes that are required.

Chair Klein closed the public hearing.

Comm. Ghaffary moved for Alternative 1 to approve the Design Review with the conditions of approval provided by staff. Vice Chair Sulser seconded.

Comm. Ghaffary said he feels this residence is well designed and the architecture is appealing. He said the front elevation and rear elevation balconies are attractive and he looks forward to seeing this home built.

Comm. Babcock requested a Friendly Amendment to eliminate COA 1.E that limits the first and second floor ceiling heights to no higher than 9 feet. She said she would prefer to see the 10-foot ceiling heights requested by the applicant allowed due to the unique design and style of the home. She said this property could handle the design with the large setback. **The maker and seconder of the motion accepted the Friendly Amendment.**

Vice Chair Sulser said he is supporting this motion because the Floor Area Ratio (FAR) is just slightly over the level that would require Planning Commission review and that he agrees with Comm. Ghaffary about the residence being well designed. He said he has no concerns with this application.

Comm. Simons said he agrees with Comm. Babcock's Friendly Amendment with the removal of COA 1.E. Comm. Simons referred to COA 1.F regarding the setbacks of the second story, but after discussion with staff decided not to offer any change to the condition. He said he would be supporting the motion.

Comm. Rowe said she would not be supporting the motion. She said this is a beautiful house, but that this is a small lot and the applicant is requesting a higher FAR. She said she likes the project as originally conditioned as she thinks it would be in better scale with other remodeled homes in the neighborhood. She said she spoke with one neighbor who was concerned about the scale of the house.

ACTION: Comm. Ghaffary made a motion on 2006-0589 to approve the Design Review with modified conditions of approval: to eliminate Condition of Approval 1.E which limited ceiling heights to no higher than 9 feet. Vice Chair Sulser seconded. The motion carried, 6-1, Comm. Rowe dissenting.

APPEAL OPTIONS: This item is final unless appealed to the City Council no later than August 8, 2006.